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Datasheet for the decision
of 3 May 2021

Case Number:	T 1677/18 - 3.5.05
Application Number:	05254863.3
Publication Number:	1624368
IPC:	G06F3/048
Language of the proceedings:	EN

Title of invention:
Three-dimensional motion graphic user interface and method and apparatus for providing the same

Applicant:
Samsung Electronics Co., Ltd.

Headword:
Polyhedron components 2/SAMSUNG

Relevant legal provisions:
EPC Art. 56

Keyword:
Inventive step - (no)

Beschwerdekammern

Boards of Appeal

Chambres de recours

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Case Number: **T 1677/18 - 3.5.05**

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 3 May 2021

Appellant: (Applicant)	Samsung Electronics Co., Ltd. 129, Samsung-ro Yeongtong-gu Suwon-si, Gyeonggi-do, 443-742 (KR)
Representative:	Grootscholten, Johannes A.M. Arnold & Siedsma Bezuidenhoutseweg 57 2594 AC The Hague (NL)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 5 February 2018 refusing European patent application No. 05254863.3 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair	A. Ritzka
Members:	E. Konak
	E. Mille

Summary of Facts and Submissions

I.   The appeal is against the examining division's decision
        to refuse the application on the grounds that the main
        and the first auxiliary requests did not meet the
        requirements of Article 56 EPC in view of the following
        document:

        D1: GB 2 354 920

II.   With its statement setting out the grounds of appeal,
        the appellant maintained the main and auxiliary
        requests on which the decision under appeal was based
        as the main request and first auxiliary request, and
        filed a second auxiliary request. It requested that the
        decision be set aside and that a patent be granted on
        the basis of any of the requests on file. It requested
        oral proceedings as an auxiliary measure.

III.   In its preliminary opinion issued in preparation for
        the oral proceedings, the board raised objections under
        Articles 84 and 56 EPC.

IV.   The appellant did not reply in substance to the board's
        preliminary opinion. It merely withdrew its request for
        oral proceedings and requested a decision. The
        scheduled oral proceedings were thus cancelled.

V.   Claim 1 of the main request reads as follows:

        "An apparatus (500) for providing a three-dimensional
        motion graphic user interface, the apparatus
        comprising:

a control module (530) which creates a first polyhedron component (240, 410, 1810) formed of a plurality of faces, wherein at least one face (310) of the plurality of faces of the first polyhedron component has predetermined attributes and displays information from among information that is hierarchically stored using menus and sub-menus differently according to the attributes, and the first polyhedron component is separable into a plurality of second polyhedron components (340, 1310, 1330) according to a user's action with respect to the faces, wherein the displayed information has a first hierarchical level and corresponds to a given menu;

a storage module (550) which stores the first polyhedron component created by the control module;

an input module (510) to which data about a user's action with respect to the first polyhedron component is input;

a user interface module (520) which assigns the attributes to the at least one face, maps information displayed on the at least one face according to the predetermined attributes, processes motion of the first polyhedron component according to the data about the user's action input through the input module, and changes an information display according to motion of the first polyhedron component; and

an output module (540) which displays a processing result of the user interface module;

wherein the control module is configured to create a plurality of said second polyhedron components (340, 1310, 1330) assigned to a specific face (310) of said at least one face after said user's action on said specific face, and wherein the user interface module (520) maps information, from among the stored information and which corresponds to a plurality sub-menus of said given menu, onto information faces of the

second polyhedron components (340, 1310, 1330), said
information corresponding to said plurality of sub-
menus having a second hierarchical level different from
the first level, and wherein the output module (540)
displays the result of the mapping;
wherein when the plurality of second polyhedron
components is created, the first polyhedron component
changes into the plurality of second polyhedron
components and the first polyhedron component is
removed."

VI.   Claim 1 of the first auxiliary request differs from
        claim 1 of the main request as follows (with the
        additions underlined and the deletions struck through):

        "[...]
        a user interface module (520), including a component
        attribute assigning module (521), wherein the user
        interface module which assigns the attributes to the at
        least one face, maps information displayed on the at
        least one face according to the predetermined
        attributes, processes motion of the first polyhedron
        component according to the data about the user's action
        input through the input module, and changes an
        information display according to motion of the first
        polyhedron component, received data about a specific
        polyhedron component selected by a user from a group of
        first polyhedron components, highlights the selected
        polyhedron component, and modifies information mapped
        onto an information face of the selected polyhedron
        component through the component attribute assigning
        module; and
        [...]"

VII.   Claim 1 of the second auxiliary request differs from
        claim 1 of the first auxiliary request as follows (with

the additions underlined and the deletions ~~struck through~~):

"[...]
wherein the control module is configured to create a
plurality of said second polyhedron components (340,
1310, 1330) assigned to a specific face (310) of said
at least one face after said user's action on said
specific face, and wherein the user interface module
(520) maps information, <u>for each of the second
polyhedron components (340, 1310, 1330)</u> and from among
the stored information and which corresponds to a
plurality <u>of</u> sub-menus of said given menu, onto
information faces of the second polyhedron component~~s~~
(340, 1310, 1330), said information corresponding to
said plurality of sub-menus having a second
hierarchical level different from the first level, and
wherein the output module (540) displays the result of
the mapping;
[...]"

Reasons for the Decision

1.   The invention relates to a 3D GUI metaphor according to
        which a "first polyhedron component" is separable into
        a plurality of "second polyhedron components". A
        hierarchy of menus and sub-menus is assigned to
        specific faces of these polyhedron components.

2.   In the contested decision, it was held that the only
        feature of claim 1 of the main request distinguishing
        it from D1 was found in the last paragraph of the
        claim, i.e. that when the plurality of second
        polyhedron components is created, the first polyhedron

component changes into the plurality of second
polyhedron components and the first polyhedron
component is removed. In the statement setting out the
grounds of appeal, the appellant did not contest that
such visual effects do not have any technical effect.
In its opinion, however, the feature "*wherein the
control module is configured to create a plurality of
said second polyhedron components (340, 1310, 1330)
assigned to a specific face (310) of said at least one
face after said user's action on said specific face,
and wherein the user interface module (520) maps
information, from among the stored information and
which corresponds to a plurality sub-menus of said
given menu, onto information faces of the second
polyhedron components (340, 1310, 1330), said
information corresponding to said plurality of sub-
menus having a second hierarchical level different from
the first level*" was an additional distinguishing
feature. According to the appellant, D1 disclosed that
the information shown on "one face" of a sub-cube had a
relationship with the face of the cube but not that the
"other information faces" of the sub-cube had this kind
of relationship.

3.   The appellant thus seems to have suggested that the
second polyhedron components in claim 1 of the main
request may display sub-menus on more than one face and
that these sub-menus have some form of relationship
with the menu on the selected face of the first
polyhedron component. In its preliminary opinion,
however, the board informed the appellant that whether
the sub-cubes displayed sub-menus on one face or on a
plurality of faces and the relationship between these
menus/sub-menus were non-technical differences in GUI
design in which the board could not discern any
technical effect.

4.   In the statement setting out the grounds of appeal, the appellant referred to T 928/03, arguing that "facilitating a continued human-machine interaction by resolving conflicting technical requirements [was] a possible technical purpose". It submitted that the distinguishing features of claim 1 of the main request resolved conflicting "technical requirements" of this kind, namely giving the user easy access to all kinds of details without overly cluttering the screen. However, as the board informed the appellant in its preliminary opinion, reducing screen clutter and presenting the user with more details in a GUI are not technical requirements.

5.   Regarding claim 1 of the first auxiliary request, the appellant had argued in the statement setting out the grounds of appeal that D1 did not disclose "the modification of information" or "how a use may be enabled to modify the shown information". However, as noted in the board's preliminary opinion, modifying the presentation of a GUI does not produce a technical effect.

6.   Regarding claim 1 of the second auxiliary request, in the statement setting out the grounds of appeal the appellant merely repeated its arguments with regard to the main request (see point 4 above).

7.   Since the appellant did not reply in substance to the board's preliminary opinion, the board sees no reason to change it.

8.   Therefore, claim 1 of the main request and the first and second auxiliary requests does not solve any objective technical problem and does not involve an

inventive step (Article 56 EPC).

9.   As none of the requests is allowable, the appeal must
        be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chair:

K. Götz-Wein   A. Ritzka

Decision electronically authenticated